

**DECLARATION FOR UTILITY OR  
DESIGN PATENT APPLICATION  
(37 CFR 1.63)**

☐ Declaration  
Submitted  
with initial  
Filing

☒ Declaration  
Submitted after initial  
Filing (surcharge  
(37 CFR 1.16(e))  
required)

Attorney Docket No.: 5854-2

First Named Inventor: Kappes *et al.*

**COMPLETE IF KNOWN**

Application Number: 09/719,340

Int'l Filing Date: June 23, 1999

Group Art Unit: (*not yet assigned*)

Examiner Name: (*not yet assigned*)

As a below named Inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**CELL-BASED METHOD AND ASSAY FOR MEASURING THE INFECTIVITY  
AND DRUG SENSITIVITY OF IMMUNODEFICIENCY VIRUS**

the specification of which

☐ is attached hereto  
OR

☒ was filed on June 23, 1999 as PCT International Application Number PCT/US99/14104.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37 Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code § 119 (a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365 (a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				Yes	No
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/> Additional foreign application numbers are listed on a supplemental priority sheet attached hereto:					
I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below.					
Application Number(s)	Filing Date (MM/DD/YYYY)	<input type="checkbox"/> Additional provisional application numbers are listed on a supplemental priority data sheet attached hereto.			
60/090,317	6/23/1998				

I hereby claim the benefit under 35 U.S.C. 120 of any United States application(s), or 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application or PCT Parent Number	Parent Filing Date (MM/DD/YYYY)	Parent Patent Number (if applicable)

☐ Additional U.S. or PCT international application numbers are listed on a supplemental priority sheet attached hereto.

As a named inventor, I hereby appoint the practitioners associated with the Customer Number provided below to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and direct that all correspondence be addressed to that Customer Number:

**Customer Number 000826**

Direct telephone calls to:

Kelly J. Williamson  
 Registration No. 47,179  
**ALSTON & BIRD LLP**  
 Bank of America Plaza  
 101 South Tryon Street, Suite 4000  
 Charlotte, NC 28280-4000  
 Tel Raleigh Office (919) 420-2200  
 Fax Raleigh Office (919) 420-2260

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application of any patent issued thereon.

Full name of first inventor: John C. Kappes  
 Inventor's  
 Signature: [Signature]  
 Residence: Birmingham, AL  
 Citizenship: US  
 Mailing Address: 5284 Birdsong Road  
Birmingham, AL 35242 USA

Date: 4-5-01

200  
Full name of second inventor: Xiaoyun Wu  
Inventor's  
Signature: Xiaoyun Wu  
Residence: Birmingham, AL  
Citizenship: CN  
Mailing Address: 4217 Heritage Oaks Circle  
Birmingham, AL 35242 USA

Date: 4-5-01

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